

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:		
Sheri Lou Cumberledge	Debtor	NO. 17-24288-JAD
Sheri Lou Cumberledge	Movant	CHAPTER 13
vs.		Related to Docs. 88, 90
MidFirst Bank	Respondent	Hearing Date: 5/1/20 @ 11:00 am Doc. # 95

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Debtor has filed an objection to the Respondent's Notice of Mortgage Payment Change dated December 18, 2019, which increased Debtor's monthly payment from \$694.91 to 855.78 effective February 1, 2020;

WHEREAS, the monthly payment increase was due to an increase in the escrow items from \$176.15 to \$179.34 per month, and the addition of an escrow shortage in the amount of \$157.68 per month due to an escrow shortage of \$1,892.17;

WHEREAS, Respondent has agreed to spread out the escrow shortage over 60 months to reduce the monthly payment increase and resolve the pending objection.

It is therefore Stipulated and agreed as follows:

1. The Notice of Mortgage Payment Change filed December 2, 2019 is hereby withdrawn.
2. Debtor's monthly payment will be \$741.90 effective April 1, 2020, as evidenced by the Escrow Account Statement which is attached hereto as Exhibit "A".

3. Included in the monthly payment beginning April 1, 2020 is a Prorated Escrow Shortage payment in the amount of \$43.80, which escrow amount shall be included as part of each payment due through and including the payment due March 1, 2025.
4. Debtor acknowledges that future annual escrow reviews may require increases in the amounts owed for escrow items and escrow shortages, resulting in corresponding increases in monthly payments during the time that the Prorated Escrow Shortage is being paid.
5. The notice requirement of F.R.B.P. 3002.1(b)(1) is waived as to the payment due April 1, 2020.
6. Debtor's Objection to the Notice of Mortgage Payment Change is hereby withdrawn.
7. The hearing scheduled for May 1, 2020 at 11:00 a.m. is cancelled.

Consented to by:

/s/ Scott R. Lowden, Esquire
Scott R. Lowden, Esquire
Nicotero & Lowden P.C.
Attorney for Debtor
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/s/ James C. Warmbrodt, Esquire
James C. Warmbrodt, Esquire
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Attorney for Respondent
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It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,



Jeffery A. Deller J.
U.S. Bankruptcy Judge

FILED
4/17/20 11:47 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA